



Linda S. Adams
Secretary for
Environmental Protection



Department of Toxic Substances Control

Maziar Movassaghi
Acting Director
8800 Cal Center Drive
Sacramento, California 95826-3200



Arnold Schwarzenegger
Governor

October 28, 2010

Certified Mail No.: 7002 0460 0000 1282 0738

Karen J. Nardi, Esq.
Arnold & Porter LLP
One Embarcadero Center, 22nd Floor
San Francisco, California 94111

POST-CLOSURE PERMIT APPEAL DECISION, CHEMICAL WASTE MANAGEMENT, INC., BAKERSFIELD FACILITY, 27001 ROUND MOUNTAIN ROAD, KERN COUNTY, EPA ID. NO. CAT000624056

Dear Ms. Nardi:

The Department of Toxic Substances Control (DTSC), Permit Appeals Team, has received your October 18, 2010 letter withdrawing Chemical Waste Management, Incorporated's (CWM's) appeal, dated July 19, 2007, of the Post-Closure Permit decision issued by DTSC on June 19, 2007. As described in your letter, DTSC determined on June 25, 2010, that the Bakersfield Facility satisfied the requirements for closure by removal or decontamination and, therefore, a post-closure permit was no longer required. DTSC's determination became effective on September 17, 2010, when CWM caused a land use covenant to be recorded for the Bakersfield facility under the authority of Philip C. Perley, Sr. District Manager, Closed Site Management Group, Waste Management, Inc.

DTSC accepts CWM's withdrawal of its appeal in reliance on the apparent authority of Mr. Perley. This letter constitutes the final action on CWM's appeal.

If you have any questions concerning this letter, please contact me at (916) 255-3716 or email to msandhu@dtsc.ca.gov.

Sincerely,

// original signed by //

Mohinder S. Sandhu, P.E.
Permit Appeals Officer

cc: see next page

Karen J. Nardi, Esq.
October 28, 2010
Page 2

cc: Mr. Philip Perley
Senior District Manager
Closed Site Management Group
Waste Management, Inc.
9081 Tujunga Avenue
Sun Valley, California 91352

(via email)

Nancy Long, Esq.
Senior Staff Counsel
Department of Toxic Substances Control
1001 I Street, 23rd Floor
P.O. Box 806
Sacramento, California 95812-0806

Richard Driscoll, Esq.
Senior Staff Counsel
Department of Toxic Substances Control
1001 I Street, 23rd Floor
P.O. Box 806
Sacramento, California 95812-0806

Mr. Farshad Vakili
Supervising Hazardous Substances Engineer I
Office of Permitting
Department of Toxic Substances Control
8800 Cal Center Drive
Sacramento, California 95826-3200

Mr. Scott Ward
Hazardous Substances Engineer
Office of Permitting
Department of Toxic Substances Control
8800 Cal Center Drive
Sacramento, California 95826-3200

Mr. Paul Ruffin
Hazardous Substances Engineer
Permit Appeals Team
Department of Toxic Substances Control
8800 Cal Center Drive
Sacramento, California 95826-3200